

Appl. No. 09/890,364
Amendment/Response in Reply
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REMARKS/DISCUSSION OF ISSUES

Claims 1-10 are pending in the present application.
Claims 1 and 5 are the independent claims.

Rejections Under 35 USC § 103(a)

The Office rejects claims 1-6 and 9-10 under 35 U.S.C. § 103(a) as being obvious in view of Nagayama, et al. (EP 0732868 A1) and Illegems, et al. (U.S. 6,208,074 B1); claim 7 in view of these references and further in view of Kobayashi, et al. (U.S. Patent 6,388,377 B1); and claim 8 in view of Nagayama, et al., Illegems, et al., Kobayashi, et al. and Speakman (U.S. 6,503,831).

It is respectfully submitted that independent claims 1 and 5 are patentable over the applied references, at least because the applied references neither teach nor suggest the at least the patentable feature that an "electroluminescent layer is substantially uniform in thickness to the extent that the **proportion of the organic electroluminescent layer having a thickness within 20 % of the minimum thickness of the organic electroluminescent layer or the proportion of the organic electroluminescent layer having a thickness within 20 % of the maximum thickness of the organic electroluminescent layer, is at least 0.55, and less than 1.0.**

The reference to Nagayama, et al. lacks at least the limitations of claims 1 and 5 that have been captioned above. In fact the Office recognizes that the reference to Nagayama, et al. lacks the disclosure of the referenced limitations.

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The Office relies on the reference to *Illegems, et al.* that teaches of spin coating an organic EL layer with a perfect uniform thickness.

Applicants respectfully submit that *Illegems, et al.* does not disclose the referenced range of the thickness of the organic electroluminescent layer featured in claims 1 and 5.

Accordingly, and while no way conceding as to the propriety of the rejections set forth in the Office Actions, or the propriety of the combination of the applied references, applicants respectfully submit that the applied art lacks a teaching of at least one of the features of claims 1 and 5. As such, claims 1 and 5, and the claims that depend therefrom are allowable over the applied art. Allowance is earnestly solicited.

Conclusion

In view of the foregoing, applicant respectfully requests withdrawal of the above noted rejection of record, the allowance of all pending claims, and the holding of this application in condition for allowance. If any points remain of issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Except as otherwise stated in the above noted Remarks, Applicant notes that each of the amendments have been made to place the claims in better form by merely amending corresponding claims to improve antecedent, not to distinguish the claims from prior art references, otherwise narrow the scope of previously pending claims or comply with other statutory requirements.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any required fees including, but not limited to, any fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact William S. Francos, Esq. (Reg. No. 38,456) at (610) 375-3513 to discuss these matters.

Respectfully submitted on behalf of:
Philips Electronics North America Corp.


by: William S. Francos (Reg. No. 38,456)

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